

**In the United States District Court
For the Southern District of Georgia
Waycross Division**

OSCAR OSVALDO ESPINOZA-GARCIA,

Petitioner,

v.

TRACY JOHNS, Warden,

Respondent.

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CIVIL ACTION NO.: 5:15-cv-62

ORDER

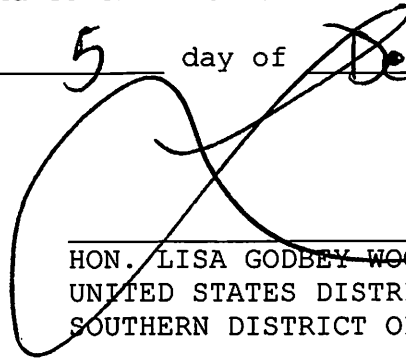
Presently before the Court is the Magistrate Judge's August 31, 2017, Report and Recommendation, dkt. no. 23, to which the parties have not filed Objections.¹ After an independent and de novo review of the entire record, the Court **CONCURS** with the Magistrate Judge, and **ADOPTS** the Report and Recommendation as the opinion of the Court. Consequently, the Court **DISMISSES** Petitioner's Petition for writ of habeas corpus, filed pursuant

¹ The Court **DENIES** Petitioner's Motion to Stay. Dkt. No. 24. In this Motion, Petitioner requests that the Court stay this matter for an indefinite period of time so that he may file Objections to the Report and Recommendation. Id. Petitioner states that he has been transferred to Special Housing Unit at FCI Gilmer and that he does not have adequate access to a law library. Id. However, Petitioner fails to explain what materials he needs to consult to craft his Objections. Indeed, he does not state what point of law he seeks to object to or otherwise take any issue with the Magistrate Judge's Report and Recommendation. Moreover, this Court has already held the Report and Recommendation for three months from its issuance. The Court cannot place this case in an indefinite hold, particularly given the lack of good cause shown by Petitioner.

to 28 U.S.C. § 2241. Additionally, the Court **DENIES** Petitioner leave to appeal *in forma pauperis*.

The Court **DIRECTS** the Clerk of Court to enter the appropriate judgment of dismissal and to **CLOSE** this case.

SO ORDERED, this 5 day of December, 2017.



HON. LISA GODBEY WOOD, JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA